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August 26, 2024

BY ECF

Honorable Dale E. Ho
United States District Judge
United States District Court
40 Foley Square
New York, New York 10007

re: Dominguez v. City of New York, et al. 21-CV-2302 (DEH)

Dear Judge Ho,

My firm, Brustein Law PLLC, along with Bromberg Law Office, P.C. represent the Plaintiff in this matter. In that capacity, we write to advise the Court that one of Plaintiff's experts, Dr. Robert Goldstein, is no longer available to testify in this case because of a medical issue.¹ As such, Plaintiff is requesting, with consent of the Defendants a brief supplemental expert discovery schedule. The undersigned conferred with Brian Francolla, Esq., attorney for the Defendants, and the parties have agreed to the following proposal for which Plaintiffs now seek the endorsement of the Court:

Plaintiff will be permitted to substitute one psychologist/psychiatrist expert for Dr. Goldstein by September 25, 2024. By October 25, 2024, Defendants will be permitted to have Dr. Robert April or another rebuttal expert for the limited purpose of responding to Plaintiff's new expert report, but not Dr. Feuer's expert report.

Rather than propose additional time for expert depositions, the Parties respectfully propose writing to the Court by November 1, 2024, to request additional time if any time is needed for depositions.

As there is currently a partial motion for summary judgment pending, this should not impact any other deadlines.

The parties thank the Court for its consideration herein.

Respectfully submitted,

¹ Out of respect for Dr. Goldstein's privacy, we are not disclosing more publicly, but can provide more information to the Court, should the Court request it.

/s/ Evan Brustein

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cc: All parties (via ECF)

Application GRANTED.

Plaintiff may substitute one psychologist/psychiatrist expert for Dr. Goldstein by **September 25, 2024**. By **October 25, 2024**, Defendants will be permitted to have Dr. Robert April or another rebuttal expert for the limited purpose of responding to Plaintiff's new expert report, but not Dr. Feuer's expert report. The Parties shall file a joint letter by **November 1, 2024**, if any time is needed for depositions.

The Clerk of Court is respectfully directed to close ECF No. 168.

SO ORDERED.



Dale E. Ho
United States District Judge
Dated: August 27, 2024
New York, New York